

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

Willie Sanders,

Plaintiff,

v.

Case No. 1:10cv683

2TRG Inc., *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on June 23, 2011 (Doc. 18).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). The Court notes, however, that though such notice was served upon Plaintiff, it was returned to the Court due to Plaintiff's failure to apprise the Court of his change of address. By failing to keep the Court apprised of his current address, Plaintiff further demonstrates a lack of prosecution of his action. See *Jourdan v. Jabe*, 951 F.2d 108, 109 (6th Cir. 1991) (*pro se* litigant has an affirmative duty to diligently pursue the prosecution of his cause of action); *Barber v. Runyon*, No. 93-6318, 1994 WL 163765, at *1 (6th Cir. May 2, 1994) (*pro se* litigant has a duty to supply the court with notice of any and all changes in his address). No objections to the Magistrate Judge's Report and Recommendation have been filed.

Having reviewed this matter *de novo* pursuant to 28 U.S.C. § 636, this Court finds the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the June 23, 2011 Report and Recommendation of the Magistrate Judge (Doc. 18) is hereby **ADOPTED**. Plaintiff's complaint shall be dismissed for failure to prosecute. This case shall be **CLOSED** and **TERMINATED** from the docket of this Court.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge